

REMARKS

Claims 1-6 stand rejected. Applicants have amended pages 3 and 5 of the specification to provide sequence identifiers that were not previously provided. In addition, claim 1 is amended herein to recite a polynucleotide consisting of the base sequence of SEQ ID NO:2, or a complementary strand thereto, wherein the nucleotide at position 6055 of SEQ ID NO:2 is A, C or T. Support for this amendment can be found in the sequence listing as originally filed, which shows an “n” at position 6055 of SEQ ID NO:2. Claim 4 is amended to recite a DNA primer or probe specific for the polynucleotide of claim 1, wherein the primer or probe contains at least 18 consecutive nucleotides from the polynucleotide or the complementary strand. Support for this amendment can be found in claim 6, which is cancelled herein without prejudice, and in Table 1 at page 5 of Applicants' specification, which provides primer sequences that are at least 18 nucleotides in length.

New claims 10 and 11 are added. Claim 10 recites a polynucleotide containing more than 10 consecutive nucleotides from the SEQ ID NO:2 or the complementary strand thereof, wherein the polynucleotide contains nucleotide position 6055 of SEQ ID NO:2, and claim 11 recites that the nucleotide at the position corresponding to position 6055 of SEQ ID NO:2 is A. Further, claim 5 is amended to recite a method of screening for parkinsonism inheritance in a subject, comprising using the DNA primer or probe of claim 10 to determine whether or not a sample of material taken from the subject comprises a polynucleotide that corresponds to SEQ ID NO:2 and has an A at position 6055, or the complement thereof, wherein the presence of said polynucleotide indicates parkinsonism inheritance. Support for the amendment to claim 5 and for new claims 10 and 11 can be found in Applicants' specification at, for example, page 4, lines 18-29, and page 10, line 26 to page 11, line 22. Thus, no new matter is added.

In light of these amendments and the following remarks, Applicants respectfully request reconsideration and allowance of claims 1-5, 10, and 11.

Specification

The Examiner stated that the specification lists nucleic acid sequences that are not assigned SEQ ID NOs. Applicants submit herewith a substitute sequence listing that includes

the polypeptide sequences shown in Figure 5 as well as the primer sequences shown at page 5 of the specification. Applicants respectfully request entry of the attached sequence listing, and submit that the application is in compliance with 37 C.F.R. §§ 1.821-1.825.

Rejections under 35 U.S.C. § 112

The Examiner rejected claims 1-6 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. In particular, the Examiner asserted that while claim 1 is drawn to a polynucleotide sequence comprising “X” as a nucleotide to be substituted, SEQ ID NO:2 contains no “X.” The Examiner also noted that claim 5 recites the probe of claim 5 when there is no probe recited in claim 5, and asserted that claim 5 is incomplete in that it does not indicate how the probe is to be used.

Applicants have amended claim 1 to recite that the nucleotide at position 6055 of SEQ ID NO:2 is A, C or T. As such, amended claim 1 does not recite “X.” Applicants also have amended claim 5 to recite a method of screening for parkinsonism inheritance in a subject, comprising using the DNA primer or probe of claim 10 to determine whether or not a sample of material taken from the subject comprises a polynucleotide that corresponds to SEQ ID NO:2 and has an A at position 6055, or the complement thereof, wherein the presence of said polynucleotide indicates parkinsonism inheritance. As amended, claim 5 recites the essential step, and also indicates the result the artisan is to look for.

For at least the above reasons, the present claims are clear and definite. As such, Applicants respectfully request withdrawal of the rejection of claims 1-5 under 35 U.S.C. § 112, second paragraph.

Rejections under 35 U.S.C. § 102

The Examiner rejected claims 4 and 6 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,420,547 (the Maiti et al. patent). In particular, the Examiner asserted that SEQ ID NO:6 of the Maiti et al. patent is a 12 nucleotide sequence having sequence identity to nucleotides 6824-6835 of instant SEQ ID NO:2.

Applicants have amended claim 4 to recite a DNA primer or probe specific for the polynucleotide of claim 1, wherein the primer or probe contains at least 18 consecutive

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nucleotides from the polynucleotide or the complementary strand. The Maiti et al. patent fails to disclose such a sequence. As such, this reference does not anticipate the present claims.

In light of the above, Applicants respectfully request withdrawal of the rejection of claim 4 under 35 U.S.C. § 102(b).

CONCLUSION

Applicants submit that claims 1-5, 10, and 11 are in condition for allowance, which action is respectfully requested. The Examiner is invited to telephone the undersigned agent if such would further prosecution.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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